

ADDITIONAL FEE:

Please charge any insufficiency of fee, or credit any excess, to Deposit Account No. 50-0427.

R E M A R K S

Applicant has added new claims 17 and 18 to recite the feature that the "spring means" are disposed on opposite sides of the weight stack. This feature is illustrated in Fig. 12, which shows the spring means 69 and 72 on opposite sides of the weight stack 65, and is described in the specification on page 24, lines 4-8.

In accordance with 37 CFR §1.56 and §1.97(b), the applicant wishes to call the attention of the Examiner to the references listed on the attached Form PTO-1449. Copies of these references are submitted herewith.

U.S. Patent No. 6,561,956

U.S. Patent No. 6,165,110

U.S. Patent No. 4,198,045

U.S. Patent No. 4,272,074

U.S. Patent No. 4,358,107

U.S. Patent No. 5,891,004

The most relevant reference in this group is perhaps the U.S. Patent No. 6,561,956. This patent discloses a "kit" which may be added to exercise equipment of the weight lifting type, which provides means for holding multiple selectable cords (elastic bands) in a substantially upright configuration in parallel with the weight or weights (weight stack) to be lifted. This means for holding the "cords" (elastic bands) is disposed on only one side of the weight stack.

Applicant's mechanism, in contrast, is designed to hold a single elastic band on the two opposite sides of the weight stack. This keeps the weight stack in balance and prevents excessive friction as the weights are lifted along the rods which keep them in alignment.

The U.S. Patent No. 6,165,110 discloses exercise apparatus which uses either weights or a set of elastic tubes as the means for applying resistance to a cable.

The U.S. Patent No. 4,198,045 discloses a hammock style exercise device which is supported by horizontal springs 23 and 24 as well as weights 27. This apparatus has little in common with applicant's claimed apparatus since the user does not pull on a cable.

The U.S. Patent No. 4,272,074 discloses body building apparatus which, in some ways, is similar to that of the hammock style exercising device of U.S. Patent No. 4,198,045. In this case, however, the user may place his feet on foot pedals 29 and pull on handles 39 in attempting to move the platform forward against his own weight and the force of gravity.

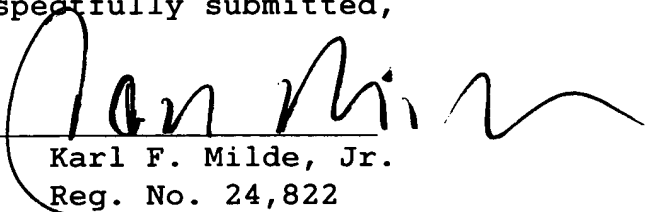
The U.S. Patent No. 4,358,107 discloses a weight lifting machine which has a "self winding spring" 40 that may be connected into the lifting mechanism to provide additional resistance.

Applicant respectfully requests that this prior art be considered during the examination of this application.

No action has issued in the above-identified application therefore, it is respectfully submitted that no fee is due at this time under 37 CFR §1.97(b).

Respectfully submitted,

By


Karl F. Milde, Jr.
Reg. No. 24,822

MILDE & HOFFBERG, LLP
10 Bank Street - Ste. 460
White Plains, NY 10606

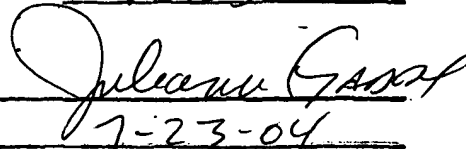
(914) 949-3100

I hereby certify that this correspondence is being deposited with the United States Postal Services as first class mail in an envelope addressed to: Commissioner of Patents and Trademarks, Washington, D.C. 20231 on 7-23-04

10

By

Date


7-23-04